REMARKS

Claim 1-40 are currently pending. New claims 37-40 have been added herein. Claims 1, 15, 24, 26, 30, and 33-36 have been amended. The allowance of claims 1-34 is acknowledged with appreciation.

New Claims 37-40 and Amendments to Claim 1, 15, 24, 26, 30 and 33-34

Claims 1, 15, 24, 26, 30 and 36 have been amended to correct typographical errors and/or for readability. These claim changes are not intended to be related to patentability or to narrow the scope of the claims. To round out the scope of protection being sought, claims 33 and 34 have been amended to place them back into multiple dependent form in a manner similar to that as originally filed, and new dependent claims 37-40 have been added herein. New claims 37-40 are allowable at least because they depend from allowed claims.

Art Rejection(s)

The Office Action includes a rejection of claims 35 and 36 under 35 U.S.C. § 102(e) as allegedly being anticipated by the Takenaka patent (U.S. Patent No. 6,281,513). Claim 35 has been amended, and it is respectfully submitted that claims 35 and 36 are not anticipated by the Takenaka patent.

Claim 35 recites a lithographic method comprising transferring a pattern onto a particle-sensitive substrate with at least one writing beam, wherein secondary electrons are released from the particle-sensitive substrate by the at least one writing beam and emanate

from the particle-sensitive substrate. The method also comprises detecting the secondary electrons having emanated from the particle-sensitive substrate with at least one electronic detector.

Claim 35 has been amended, and it is respectfully submitted that the Takenaka patent does not disclose a lithographic method as recited in claims 35 and 36. As best understood, it appears that the rejection has treated the detection of secondary electrons as recited in original claim 35 as reading upon exposure of a resist layer by backscattering electrons, such as illustrated in Figure 3 of the Takenaka patent. Claim 35 has been amended to clarify that the detection of secondary electrons is accomplished with at least one electronic detector, such as, for example, electronic detectors 73 illustrated in Figure 8 of the present application. Of course, the subject matter of claims 35 and 36 is not intended to be limited to the example shown in Figure 8. It is respectfully submitted that a resist film as disclosed in the Takenaka patent (e.g., layer 22 shown in Figure 3) does not correspond to at least one electronic detector as recited in claim 35.

In addition, claim 35 recites detecting the secondary electrons having emanated from the particle-sensitive substrate with at least one electronic detector. In other words, the recited detection of secondary electrons occurs after the secondary electrons emanate from the particle-sensitive substrate. It is noted that the substrate 21 illustrated in Figure 3 of the Takenaka patent is not itself "particle-sensitive". Rather, the resist film 22 would have to be considered in combination with the substrate 21 in order to establish a particle-sensitive substrate. However, the Takenaka patent does not disclose detection of secondary electrons

that emanate from resist film 22 (which must be considered along with substrate 21 in order for there to be a particle-sensitive substrate) with at least one electronic detector.

Accordingly, for at least these reasons, it is respectfully submitted that the Takenaka et al. patent does not disclose the subject matter recited in claims 35 and 36. Withdrawal of the rejection and allowance of claims 35 and 36 are respectfully requested.

Conclusion

In light of the foregoing, withdrawal of the rejection of the present application are respectfully requested. Should there be any question in connection with this application, the Office is invited to contact the undersigned at the number below.

Respectfully submitted,
BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: September 30, 2004

By: _____
Douglas H. Pearson
Registration No. 47,851

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620